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Case 1:09-cv-07759-DLC Document 163 Filed 04/04/12 Page 1 of 2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Application

THE CROMWELL GROUP, INC. AND
AFFILIATES, ET AL. (KSBH, LLC AND
NORTH FACE BROADCASTING, LLC)

10 CV 5210 (DLC)

4/5/2012

In the matter of the Application of

HICKS BROADCASTING OF INDIANA, LLC.,
ET AL. (KSBH, LLC AND NORTH FACE
BROADCASTING, LLC)

09 CV 7759 (DLC)

Related to

UNITED STATES OF AMERICA,
Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,
Defendant.

41 CV 1395 (DLC)

NOTICE OF DISMISSAL

Pursuant to Rule 41(a)(i) of the Federal Rules of Civil Procedure, the American Society of Composers, Authors and Publishers ("ASCAP") hereby dismisses without prejudice its Application for Entry of Judgments Against KSBH, LLC and North Face Broadcasting, LLC, which was filed with the Court on March 2, 2012, (see Document No. 157, Application for Entry of Judgments Against KSBH, LLC and North Face Broadcasting, LLC, Case 1:09-cv-7759; Document No. 23, Case 1:10-cv-5210), and as to which no answering papers or motion for summary judgment has been filed by KSBH, LLC or North Face Broadcasting, LLC.

So ordered.

Thomas B. K.

April 5, 2012

Dated: New York
April 3, 2012

AMERICAN SOCIETY OF COMPOSERS, AUTHORS
AND PUBLISHERS

By /s/ Lynn B. Bayard
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*Attorneys for the American Society of Composers,
Authors and Publishers*

SỐ ORDERED:

U.S.D.J.

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AFFIDAVIT OF SERVICE BY FEDERAL EXPRESS

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

DANIEL FUERST, being duly sworn, deposes and says:

1. I am not a party to this action, am over 18 years of age and am employed by Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, New York 10019.

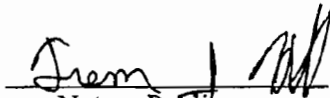
2. On April 4, 2012, I served a true copy of the NOTICE OF DISMISSAL on the following:

William Vance
213 Renee Street
Natchitoches, Louisiana 71457

3. I made such service by placing the true copy of the aforementioned document in a properly addressed, prepaid wrapper and delivering it to a Federal Express office for Priority Overnight Delivery.


DANIEL FUERST

Sworn to before me this
4th day of April, 2012


Notary Public

TREVOR J. HILL
Notary Public, State of New York
No. 60-6181594
Qualified in Westchester County
Certificate Filed in New York County
Commission Expires Feb. 4, 2016